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NAPOLITANO URGES REMOVAL OF PROVISIONS IN FEDERAL LEGISLATION USURPING GOVERNORS' CONTROL OF NATIONAL GUARD

PHOENIX – Governor Janet Napolitano has renewed her call for Congress to remove proposed language that would seize Governors' control over their own National Guard units. In a letter to Arizona Senator John McCain, who sits on the conference committee for the Defense Authorization Bill, H.R. 5122, the Governor asked McCain to oppose provisions in the measure that allow the President to federalize states' National Guard in times of disaster. Napolitano also authored a similar letter to Arizona Senator Jon Kyl, asking for his support on this issue.

"The states already have a strong working relationship with one another in times of emergency, without the involvement of the federal government," Napolitano wrote. "Congress should not interfere by allowing this federalization provision to remain in place. Every Governor in the country opposes this provision."

If enacted as is, Section 511 of the U.S. House-passed bill would usurp the authority of governors to command the National Guard in response to a "serious natural or manmade disaster." Governors are also concerned about the Senate's proposal to expand the President's authority to intervene in a state under the Insurrection Act (Section 1042), and proposals to federalize disaster response through the use of reserve forces.

Just last month, Napolitano and her fellow Governors authored letters to Defense Secretary Donald Rumsfeld and Congressional leadership, calling for removal of the federalization provision, saying it could cause confusion in the command-and-control of the National Guard and interfere with states' ability to respond to natural disasters within their borders.

A copy of Governor Napolitano's letter to Senator McCain is attached in pdf format.

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